MUELLER LAW IS HELD GOOD

City of Chicago Wins a Great Basis of the Suit Against H. Victory Over Opponents of Municipal Ownership.

Clay Pierce of the Waters-

ATTORNEYS ARE JUBILANT DEFENDANT ON THE STAND

COURT.

Chicago, Sept. 15 .- Judge Thomas G. \$75,000,000 worth of railway certificates by which Gruet claims is due him as back

The law was declared constitutional by the court, who also held that subsequent ordinances regarding the purchase and operation of the street railways, passed by the city, are in compliance with the law.

Bill of Complainants.

The attack upon the constitutionality of the Mueller law was made by certain tax, payers who desired to restrain the city authorities from executing any mortgage, trust deed or street railway certificates; the money from which was to be used for the purchase of the street railways of the city. The court was asked to declare void certain city ordinances which declared that the city should issue the certificates is amount not exceeding \$75,000.000 and proceed to purchase and operate the street railways.

the street railways.

It was also asked of the court that it pass upon the constitutionality of the law itself. The city filed a demurrer to the bill of the complainants and the decision of Judge Winder today not only upheld the constitutionality of the law, but declared that ordinances passed by the city are right, and proper and then dismissed for want of equity the bill of the complainants.

EXCURSION TO OGDEN

Sunday, Sept. 16th. Via O. S. L. Round trip, \$1.00. Take any train up to 6:05 p. m. Returning, special will leave Ogden at 10:30 p. m. The Masons will dedicate their new háll on this date.

Dr. Keith has resumed his dental practice, 503 Scott building, 168 Sixty Years' Experience of an 'd

Nurse. Mrs. Winslow's Soothing Syrup is the prescription of one of the best female physicians and nurses in the United States and has been used for sixty years with never-failing success by millions of mothers for their children. During the process of teething its value is incalculable. It relieves the child from pain, cures diarrhoea, griping in the bowels and wind colic. By giving health to the child it rests the mother. Price 75 cents a bottle.

METEOROLOGICAL REPORT

Yesterday's Record at the Local Office of the Weather Bureau.

Maximum temperature, 58 degrees: minmum temperature, 44 degrees; mean tem-perature, 51 degrees, which is 15 degrees erature, 51 degrees, which is 15 degreelow the normal; accumulated deficien temperature since the first of the onth, 17 degrees; accumulated deficiency month. It degrees; accumulated deficiency of temperature since Jan. 1, 238 degrees. Total precipitation from 6 p. m. to 6 p. m., .06 inch: accumulated excess of precipitation since the first of the month, 1.00 inch: accumulated excess of precipitation since Jan. 1, 6.52 inches. Relative humidity at 6 p. m., 64.

PEACH DAY EXCURSION. Sept. 19th.

Via Oregon Short Line to Brigham City. Specially low rate. See agents.

All persons who reside outside of Murray justice precinct, who have been annoyed by lawsuits commenced in Murray, will do well to call upon the dent, Brent A. Norman; vice president, "Alfred Kent Law Agency," room 20 A. G. Lundstrom; D. C. Budge, Joseph Latimer building, 63 W. 2d South street, Howell and Anthon Anderson. A. A. If they want relief.

DEATH OF MRS. HOLLAND. A Resident of Logan for Thirty Years-Death Due to Dropsy.

Logan, Sept. 14.—Mrs. Sarah Holland of his city passed away last night, after this city passed away last night, after suffering for some time with dropsy. Funeral services over the remains are to be held on Monday at 2 p. m. in the Second ward meeting house. Mrs. Holland was 70 years of age and a native of England. She had lived here, however, about thirty years. Her husband and four children survive her. One son is Joe Holland, a nonular Southern Pacific conductor. a popular Southern Pacific conduct now stationed at Sparks, Nev. The ceased lady was highly respected here.

Wall Paper, Paints, Picture Frames, Paperhanging, Painting, Framing, Chas. H. Bodel, 33-35 E. First South.

FATAL RIOT IN OHIO.

Steubenville. O., Sept. 15.—Six men and o'le woman were stabbed and hacked in a row between Polish and Austrian miners in a boarding house at Long Run last night, where they had been drinking. Three of the men will die. The woman

Does Coffee cause your Trouble?

GRUET HELPED SENATOR BAILEY

Pierce Oil Company.

CASE GOES TO THE SUPREME SERVICES OF NO VALUE TO THE

St. Louis, Sept. 15.-The hearing of wit-Winder, in the circuit court, today de- nesses in the suit of John P. Gruet, forcided in favor of the city of Chicago in mer secretary of the Waters-Pierce Oil the injunction suit based on the Mueller company, against H. Clay Pierce, chairlaw, which provides for the issuance of man of the board of directors, for \$25,000, salary, was continued today until next week in order to secure additional wit-

ordinances regarding the purchase and operation of the street railways, passed by the city, are in compliance with the law.

The decision is a complete victory for the city, the court holding against every point advanced by the complainants in their bill, which was dismissed for want of equity.

Purpose Made Clear.

The court pointed out that it was the pany. nesses.

The court pointed out that it was the evident purpose of the legislature and of the Chicago city council, in the laws and ordinances passed by those bodies to give the city the right to municipalize the street rallways. Regarding the alleged unconstitutionality of the Mueller law, the court declared that while there may be in some points a doubt as to the intent of the legislature, he believed the doubt should give way to what appeared to be the intention of the legislature in enacting the measure.

The attorneys for the city were jubilant because of the decision, claiming that the court had upheld their contentions in every respect. The case will now be appealed to the state supreme court, which will take it under advisement next month.

Bill of Complainarts.

Was Given Instructions.

"Mr. Gruet readily assented to my suggestion and returned to St. Louis within a day or two, where he met Senator Baia day or two, where he met Senator Bailey and received instructions from Senator Bailey in regard to the investigation which Senator Bailey desired made at Nashville, Tenn.—which was the head-quarters for all these companies.

"Mr. Gruet went over to Nashville under instructions from Senator Bailey, and remained there some time.

"He returned to St. Louis and was elect.

remained there some time.

"He returned to St. Louis and was elected by Senator Bailey, who had charge of these companies, president of the Briar Hill Collieries company, and I am not sure, but I think he was made a director and president, and I think he was given some official position in connection with some official position in connection with the Cumberland Coal company and also the Tennessee Construction company.

Work of No Value.

"He became auditor of adjustment of accounts of these properties and Senator Bailey all of this time; and practically up to the end of Gruet's employment by the Pierce Investment Trust company." Pierce went on to explain that Gruet put in several months in Nashville mak-ing investigations under the direction of Senator Balley and then went to New York to make a report to Mr. Pierce. Mr.

York to make a report Pierce continued: "Senator Bailey expressed the opinion that Gruet's examinations at Nashville had been without value, that he had simply copied the accounts instead of investigating and checking them up as he was sent to do, and the reports were of no value; he had simply repeated the statements he had copied from the books and the work of subsequent auditors put upon the work proved that Senator Bailey's impressions were correct and that Gruet had simply gone to Nashville and copied the books, and came back here, and came to New York, and he did not even turn in New York, and he did not even turn in his report." On cross-examination Pierce estimated his own interests in the properties at \$13,-

It Is Incorporated With Capital Stock of \$25,000-Refrigerator at Logan.

The State Bank of Garfield, which will do business at Panguitch, filed articles of incorporation with the secrestock is \$25,000, divided into shares of the par value of \$100 each. J. E. Haymond is president and J. B. Showalter is vice president. The other directors are Ira W. Hatch, John W. Henrie and John Houston.

The Norman Refrigerator company of Logan filed articles of incorporation Brigham at midnight. A large supply with the secretary of state yesterday. The capitalization is \$250,000, divided into shares of the par value of \$1 each. The officers and directors are: Presi-Law is secretary and treasurer of the

The Carob Medicine company yesterday filed an amendment to its articles of incorporation changing its name to Donnellon's Car-Oba Medicine com-

The Midland Gold & Copper Mining & Reduction company filed an amendment to its articles providing that the annual meeting of its stockholders shall be held on the second Tuesday of

NEW TRAINMASTER NAMED

E. N. Botsford Appointed to Position Created on Short-Line-Other Changes Made.

E. N. Botsford, who has held the position of trainmaster for the Union Pacific at Evanston, Wyo., since the appointment of H. J. Roth to the assistant superintendency at Ogden, has been named as trainmaster for the Oregon Short Line with offices in Salt Lake. This is a new position which the Short Line has found necessary to create, on account of the large volume of business which they are

As successor to Mr. Botsford, W. C. Beaver, who has filled the position as chief train dispatcher at Evanston for the past six years, has been named. C. F. Roberts, a trick train dispatcher at Evanston, has been appointed as chief train dispatcher to succeed Mr. Beaver. The appointments became effective vesterder. ppointments became effective yesterday.

DATE FOR WOOL GROWERS.

Lake Jan. 17-19. The secretary of the Utah Wool-Growers' association received a communication yesterday from Secretary George S. Walker of the National Wool-Growers' association informing him that dates set for the convention of that association in Salt Lake are January 17. 18 and 19.

Prior to the association meeting the Utah Wool-Growers' association will meet Utah Wool-Growers' association will meet. York.

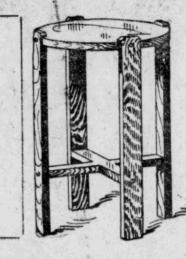
TAKE A GLIMPSE FALL'S FURNITURE FASHIONS

Greenewald

Without the formality of a "Fall Opening" we are exhibiting the Beauties of the New Season's Furniture Creations, in a variety of styles that covers every display floor of our entire store and comprises new ideas for the furnishing or refurnishing of your home

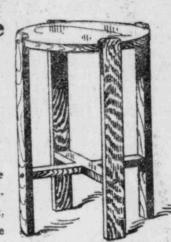
complete or in part. Delightful showings of novelty pieces and sets abound in the Parlor. Dining Room, Bed Room and all the other departments, where you may spend a few pleasant moments or hours to view the new goods and where you may make profitable purchases if any improvement of your home's appointments is contemplated.

It is not too early to decide on the heater which is to be your house - warmer this winter. Let us show you the new models. "At the Greenewald Furniture Store."



Get One of These Mission Tabourettes, 60c

picture, can be used for seat or jardinier stand, comes in Weather Oak, Fumed Oak and Waxed Oak. On sale



Have you visited our Carpet and Drapery Dept. since the new stock arrived? If not there are happy surprises in store for you

33, 35, 37, West Third South St.



Asked for It.

The state board of pardons held its monthly meeting yesterday, but of the many applications made for elemency, only one was granted. Chester A. Bouton, sentenced from Salt Lake county, April 5, 1905, for ten years for robbery, was granted a parole.

Applications for pardons were denied as follows: Stephen S. Simmon. Summit

follows: Stephen S. Simmon. Summi-county, burglary; William M. Brown felony, Weber county; John Pryor Walden, grand larceny, Carbon county; Burt Miyler, burglary, Salt Lake county; Miyler, burglary, Salt Lake county; Charles Kromer, burglary, Salt Lake

The application of Myron E. Lance, convicted in Wayne county of grand larceny, for a parole, was denied.

Applications for clemency, either pardon, parole or commutation, were continued to subsequent meetings as follows: John V. Long, criminal operation, Salt Lake county; James T. Hill, grand lar-ceny, Weber county; George Parry, fel-ony, Salt Lake county; Cecil G. Plant, polygamy, Davis county.

Get your windows fixed now. tary of state yesterday. Its capital glass man is waiting. Morrison, Merrill & Co., 28 Main St.

PEACH DAY.

Excursion to Brigham.

Sept. 19, via O. S. L. Round trip from Salt Lake, \$1.25. Special train leaves Salt Lake at 8 a. m. Returning, leaves of peaches and melons will be given away free to visitors.

JEALOUS DEMON'S DEED. Oklahoma City, Ok., Sept. 15.-A special to the Times-Journal from Noble, Ok.,

Last night a young farmer by the name of Snyder drove from here to his farm, eight miles east of town, shot his wife, baby and then took his own life. Jealis supposed to have prompted the

SNOW IN COLORADO.

Telluride, Colo., Sept. 15.-Snow to ◆ the depth of fourteen inches fell on the mountains in western Colorado today. Below the elevation of 1,000 feet the snow melted as it fell. This is the first snowstorm of the season in this vicinity and it has come about the mount partier than want to the season to month earlier than want. ******

Humphreys' Seventy-

Seven Cures Grip and

fers from other Cold cures-because it cures by going direct to the sick spot, without disturbing the rest of the system. No poison, no drugging, no danger to the heart, the kidneys or the lungs-a complete cure-no hanging on National Convention to Be In Salt of nasty Catarrh or backing Cough. "Seventy-seven" is put up in a small vial of pleasant pellets that fits the

> At Druggists, 25 cents. or mailed. Doctor's Book mailed free. Humphreys' Homeo. Medicine Co., William and John streets, New

GENERAL WINT FAVORS

Clemency Is Extended to Only One
Prisoner of Many Who

Washington, Sept. 15.—Brigadier General Theodore J. Wint, commanding the department of the Missouri, has reported a member of a Catholic family, has written a letter to the Leipsig Neuste Nach.

Mister, can you tell me where Dr. C. a member of a Catholic family, has written a letter to the Leipsig Neuste Nach.

Didn't you know he had moved? He

SUPREMACY OF CHURCH. ARMY POST CANTEENS New Jesuit General Holds Belief of

general of the Jesuits ridicules the view, which is apparently current in France, that the selection of a German as the head of the order was caused by the French relations with the vatican.

Harry Shipler, Commercial Photog-

pains, catarrh, and don't know it is BLOOD POISON. Send to DR. BROWN, 335 Arch' St., Philadelphia. Pa., for BROWN'S BLOOD CURE, \$2,00 per bottle; lasts one month Sold in Sait Lake only by F. C. SCHRAMM, First South and Main Streets.

If It Happens It's in The Herald.

WE CURE MEN

A falsehood well maintained may succeed for a while, but it is only a question of time when the truth will prevail. That is why an advertisement of facts is the safest business proposition for a doctor as well as for any other business man, and that is why we are the oldest Specialists in Salt Lake, with the most successful practice and the greatest number of satisfied patients.

If you live at a considerable distance from Salt Lake and find it inconvenient to call at our office, perhaps you hesitate as to whether it is worth while. Then write and tell us yoursymptoms as you would to your dearest friend. Give us your complete confidence; it will not be misplaced. If we can help you in any way we will gladly tell you so. If not, we have still done the best we could. We do not accept incurable cases.

Do not waste your time with those who cannot aid you, but come in and talk your case over with us, and you are certain of our sympathy, our aid, our

We have devoted our lives to the study of these diseases. We have treated so many cases that we feel safe in telling you that if there is a cure for you you can find it here. Our reputation for success and honesty has been carefully guarded, and the confidence of our patients is not frittered away by questionable transactions.



DR. COOK, Founder of Cook Medical Co. IF YOU ARE RESPONSIBLE YOU MAY PAY WHEN CURED.

Prescriptions carefully compounded under our personal supervision, and warranted to be fresh and pure. Satisfactory results legally guaranteed. Consultation, advice and examination free. Investigate our methods and be satisfied. Hours: 9 a. m. to 8 p. m. Sundays: 10 to 12:30 only.

The diseases which are our distinctive specialties are such obstinate maladies as Blood Poison, Nervo-Vital Debility, Urinary Complaints, Varicose or Knotted Veins, Piles, Fistula, Kidney, Bladder, Skin, Nervous and Special Diseases, with all of their reflex complications.

We successfully treat these diseases by the latest and best methods, without stimulants or the knife.

Our charges are always reasonable, and every facility is offered to our patients to avail themselves of our experience and skill to the fullest extent.

We seek cures rather than cash, and it is upon this basis that we have justly earned so enviable a reputation, built up so large a practice and won the good will of so many thousands.

COOK MEDICAL CO., 116 SOUTH MAIN STREET.